

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL

FIRST NAMED INVENTOR OR APPLICATION IDENTIFIER: JOHN D. NORTON ET AL.  
TITLE: APPARATUS AND METHOD FOR EXERCISING A BATTERY FOR AN IMPLANTABLE MEDICAL DEVICE



MAIL STOP PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE UNDER 37 CFR §1.10: I hereby certify that this Utility Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope addressed to: Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, \*EXPRESS No. EV 323 971 951 US, on this 6th day of February, 2004.

22141 U.S.P.T.O.  
10/773391  
020604

MOLLY CHLEBECK  
Printed Name  
  
Signature

Sir:

We are transmitting herewith the attached:

Patent Application Transmittal

Specification:

Total pages: 30 (including claims and abstract: Spec. 23 sheets; Claims 6 sheets; Abstract 1)

Drawings:

Total sheets: 9

formal  informal

Combined Declaration and Power of Attorney:

unexecuted

copy from prior application

Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))

Incorporation by Reference - *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.*

Accompanying application parts:

Notification of filing a

Assignment of the Invention to Medtronic, Inc.

Assignment cover sheet

Information Disclosure Statement

PTO Form 1449

Copies of IDS citations

Preliminary Amendment

A copy of the Petition or Conditional Petition for Extension of Time in the prior application.

Return Postcard

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IF A CONTINUING APPLICATION:

Continuation  Divisional  Continuation-in-part (CIP) of prior application  
No. .

Amend the specification by inserting before the first line the sentence: --This application is a f application Serial No. , filed , now allowed--

Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.  
(At least the original independent claim must be retained for filing purposes.)

The prior application is assigned of record to Medtronic, Inc.

The Power of Attorney in the prior application is to: \_\_\_\_\_

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This application claims the benefit of U.S. Provisional Application(s) Serial No.(s) \_\_\_\_\_, filed \_\_\_\_\_.

Address all future correspondence to: Paul H. McDowall, Reg. No. 34,873  
Telephone: (763) 514-3351  
Customer No. 27581

| FEE<br>CALCULATION           | No. of Claims<br>Filed | Claims Included in<br>Base Fee | No. of<br>Extra<br>Claims | Rate  | Fee        |
|------------------------------|------------------------|--------------------------------|---------------------------|-------|------------|
| Total Claims                 | 37                     | 20 =                           | 17                        | x 18  | \$306.00   |
| Independent Claims           | 5                      | 3 =                            | 2                         | x 86  | \$172.00   |
| Multiple Dependent<br>Claims |                        |                                | 0                         | + 290 |            |
| Basic Filing Fee             |                        |                                |                           |       | \$770.00   |
|                              |                        |                                |                           | TOTAL | \$1,248.00 |

Charge Deposit Account No. 13-2546 in the amount of \$\_\_\_\_\_ for the filing fee.

The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-2546. A duplicate of this transmittal is enclosed.

Date

6 Feb. 04

  
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